

MARCH 2020

MARCH

March 4-7
SubExcel Convention
Las Vegas

March 18
BPI in a Box Lunch
Syberg's on Dorsett

March 28
DISCO BALL Awards Gala
The Four Seasons Hotel STL

APRIL

April 22
Monthly DINNER Meeting
Syberg's on Dorsett

MAY

May 13
NETWORKING EVENT
TopGolf

JUNE

June 17
Monthly DINNER Meeting
Syberg's on Dorsett

For a full list of all
ASA Midwest Council events
visit www.asamidwest.com

The February 19th Member Dinner Meeting was a well-attended success. Thank you, John Kelly, the TV Voice of the St. Louis Blues, for filling in as a last-minute speaker change. It was very interesting and entertaining to get insight on all things Blues, from someone so close to the team.

The ASA Disco Ball Awards Gala will be held March 28th, 2020 at the Four Seasons St. Louis Hotel. Susan Winkelmann and the committee are busy making the final preparations for this great event. A lot goes into planning a crowd-pleasing event of this magnitude, the efforts will be sure to show this year. Congratulations to all nominees, and we are all excited to find out this year's winners. Last year we had 422 attendees, and this year we look forward to another large crowd, so be sure and reserve your tickets at www.asamidwest.com. The hotel room block for the Four Seasons at the ASA block rate of \$215, closes March 12th, and the last day to register for the Gala is March 18th, 2020.

Also, on March 18th we will be holding a BPI in a Box Lunch at Syberg's on Dorsett 11:30 am to 12:30 pm. The \$25.00 admission covers lunch and an opportunity to discuss current issues with your peers. Be sure to join us and add to the always valuable conversation. Registration for this event is now open and closes March 13th.

The programs committee is diligently working on upcoming events. Save the date May 13th, 2020 for an ASA / SITE Topgolf Networking Event. This will surely be a lot of fun, more information to follow, as planning progresses. If you would like to help sponsor the event, contact Susan Winkelmann. We are looking for bar sponsors at \$300 per sponsor.

I look forward to seeing you at an ASA meeting or event in the very near future.

Tom Henson,
Affton Fabricating & Welding Co., Inc.
President, ASA Midwest Council
thenson@afwc.com

Syberg's on Dorsett

2430 Old Dorsett Rd
Maryland Heights, MO

Directions: Exit HWY 270 at the Dorsett Exit.
Go east on Dorsett, and a left onto Old Dorsett
Road to Syberg's.

ASA Midwest Council needs your time and talent!



**Are you a new member looking to get more involved with the ASA?
Or perhaps you are a long time member, and have never joined a committee!**

**We are always looking for committee members to assist with our
quarterly events, as well as the ongoing committees,
that help run the organization!**

**If you are interested in joining a committee, contact executive director,
Susan Winkelmann 314.845.0855 or susan@asamidwest.com**

ASA Midwest Council has been Building. Community. Since 1967!

APRIL 2020
Monthly DINNER Meeting

Syberg's on Dorsett
Wednesday, April 22, 2020
5:30 p.m. to 8:00 p.m.

Please make plans to join us for the April Monthly Member **DINNER** Meeting on Wednesday, April 22, 2020 at 5:30 p.m., **Syberg's on Dorsett**.

Join our three **GC of the Year Award Winners** at our Monthly Membership **DINNER** Meeting, for networking, dinner, and a company overview from each award winner!

GC of the Year Award Winners Will be Announced at The Disco Ball Awards Gala on March 28th at the Four Seasons Hotel STL
Watch your email for the winning GC's that will be in attendance on April 22nd!

MEETING AGENDA:

Networking 5:30 to 6:30 p.m.
Dinner 6:30 p.m.
Program (GC Award Winners) 7:00 p.m.

Registration includes hosted bar, dinner & program
\$42 ASA Members

INTERESTED IN SPONSORING THIS MEETING?
ONLY \$250 to sponsor meeting!

Limited Sponsorship Availability!
Contact Susan Winkelmann for details
susan@asamidwest.com or 314.845.0855

Register online-www.asamidwest.com
by Friday, April 17, 2020

Attendees not cancelled by 4.17.20. will be charged per ASA cancellation policy. No refund after 4.17.20, but you may always send someone in your place if you can not attend.

MAY 13, 2020
Networking Event

TopGolf
16851 N. Outer 40 Rd.
Chesterfield, MO
Wednesday, May 13, 2020
4:30 to 6:30 p.m.



Please make plans to join ASA & SITE for a joint networking event at TopGolf!

Swing on by for 2 hours of Cocktails, appetizers & golf for only \$60 per person!

Visit asamidwest.com to register by 5.6.20.

Advance registration is required! If you are a member of more than one of the organizations (ASA/SITE) please only register with one organization so we do not have duplicate registrations!

BAR SPONSORSHIPS AVAILABLE \$300

Visit www.asamidwest.com to register today! *This event promises to be a great way to kick off the spring with some networking, food, drinks, and golf!*

Cancellation by 5.6.20. for refund in original form of payment. After that date, no refund, but you may always send someone in your place if you are unable to attend the event, per ASA Cancellation Policy.

The Importance of Creating a Content Calendar for Social Media

AJ Ford
Marketeer, Inc.

Without a dedicated marketing professional or team, most contractors struggle with consistently putting marketing content on their websites and/or social media platforms. Part of this is there is no clear vision of what the messaging should be. However, developing a thorough content calendar can help you feel confident in your long-term marketing goals.

Content calendars serve as the framework for what your business plans to share and promote across all marketing channels. A well thought out and organized social media calendar, for example, can help to define your content themes and posts to match each social platform's audience and objective.

Planning is Important

Instead of focusing on quick posts, wins and project announcements, content calendars help you create consistency for the long-term. Organizing the framework of a content calendar and determining fun vs serious content helps you to identify what and when it needs to be posted. Your business may be using multiple social media platforms such as Facebook, Twitter, LinkedIn, and Instagram, and it's important to recognize that each platform serves a different purpose with different audiences.

Keep in mind that a content calendar is there to serve as a guide, not the rule. Content can be organized and planned, but pop-up, live, and user generated content should be sprinkled in as it arises. The purpose of social media is to be social, and users engage most with timely, relevant content

Putting Together Content and Strategy

Before diving into planning, it's important to first do a comprehensive audit of your social media presence and your content across all your social media channels. Gathering data on each of your social media accounts, including engagement, will help you to understand which platforms are performing best and where there are opportunities to improve.

Digging deeper into your content will help you understand which type of content is resonating best with your audience on each platform.

Pay attention to the timing and frequency of posts that get the most engagement. While all platforms have their own best practices when it comes to posting, you know your audience best, so be sure to do your research!

Social Media Tools Help Scheduling

It's easy to get overwhelmed with the number of social channels to manage and the amount of content you're scheduling, but there are plenty of tools available to help make it easier. Scheduling tools take the stress out of having to post every day. They allow you to schedule posts across multiple channels at once, and they can even optimize posts to launch at the best times for each platform.

Sprout Social. Helps you understand your audience and engage your online community through content planning and demographic listening features, as well as an analytical tool to help improve your social media presence. Sprout Social's focus is on ROI and optimization of your social content for long-term added value.

HootSuite. One of the most popular content scheduling programs is Hootsuite, offering a robust platform for organizing content. A Google Chrome extension that lets you schedule content as you discover it on the internet is a feature unique to this tool.

Zoho. Allows you to create a publishing calendar with drag and drop options so you can easily reschedule and manage your content pipeline. They also offer a collaborative tool so you can share your content with your team or clients.

Consistency

Set Your Company Up for Long-Term Success

Planning for your content not only helps to alleviate some of the day-to-day stressors of a social media professional, but it also helps you plan your long-term business goals.

Outlining your social media content in a content calendar helps you to be consistent with your posting, leading to higher engagement rates. It's important to recognize you don't need to be utilizing every social media channel that is out there — focus on what makes the most sense for your type of business.



*The **Tom Owens Memorial Scholarship** is a 501(c)(3) non-profit organization that provides financial assistance to qualified candidates who are part-time or full-time students who attend or will be attending accredited junior college, college, university or post-graduate institutions.*

Please consider making a tax deductible donation to the **Tom Owens Memorial Scholarship Fund** to further our cause and support deserving students advance their educational goals!

**For additional information about the Scholarship Fund contact
Chris O'Hagan, J D Kutter chris@jdkutter.com**

www.asamidwest.com

THANK YOU

to the MEMBER COMPANIES that attended our February 2020 meeting!

Affton Fabricating & Welding	Enterprise Bank & Trust	Lawrence Fabric & Metal	Precision Analysis, Inc.
American Steel Fabrication,	Fabick Rents	Structures	RubinBrown LLP
Aschinger Electric	Foreman Fabricators	Lizmark Branded Solutions	Sachs Electric
Bangert Computer Systems	George McDonnell & Sons	Luby Equipment Services	Sandberg Phoenix
Bazan Painting Co.	Golterman & Sabo	Marketeer	Schmersahl Treloar & Co.
BluSky	Guarantee Electrical Co.	MC Service	Seal the Deal Too
Brown Smith Wallace, LLP	Ideas4promos	Montgomery Bank	SFW Partners, LLC
CarsonAllaria	Irwin Products, Inc.	Nu Way	Show Me Industrial Services,
Wealth Management	J.D. Kutter	O.J. Laughlin Plumbing Co.	Sikich, LLP
CK Power	Jarrell Contracting	Pipe and Duct Systems, LLC	Sunbelt Rentals
CSA Advisors	Johnson Controls	Pirtek Overland	T J Wies Contracting
ELCO Chevrolet Cadillac	Knapheide Truck Equipment	Plumbing Planning Corp.	UHY LLP
			Vee-Jay Cement Contracting

Upcoming ASA Midwest Council Meetings & Events



- | | |
|------------------|--|
| March 4-7 | ASA SubExcel Convention-All invited to Attend!
<i>Las Vegas</i> |
| March 18 | BPI in a Box Lunch -Subcontractor & Supplier Members Only
Syberg's on Dorsett |
| March 28 | ASA Midwest Council's <i>The DISCO BALL</i>
<i>The Four Season Hotel</i> |
| April 22 | Monthly Membership DINNER Meeting-GC Award Winners!
Syberg's on Dorsett |
| May 13 | ASA/SITE Joint Networking Event-Sponsorships Available
TopGolf in Chesterfield |
| June 17 | Monthly Membership DINNER Meeting
Syberg's on Dorsett |

VISIT WWW.ASAMIDWEST.COM TO REGISTER FOR ANY OF THE ABOVE EVENTS!
Event registration now requires member login, contact susan@asamidwest.com with questions!

*ASA Midwest Council is on Facebook, Twitter & LinkedIn
Follow ASA Midwest Council
for the latest news and information!*



SATURDAY, MARCH 28TH 2020

ASA Midwest Council's

DISCO BALL

The 27th Annual Awards Gala

6:00 - 7:30 pm – President's Cocktail Reception
7:45 - 9:00 pm – Dinner Served

9:00 - 10:00 pm – Awards Presentation
10:00 - 11:00 pm – Celebration!

TO REGISTER, VISIT ASAMIDWEST.COM BY MARCH 18TH, 2020
\$175 PER PERSON | VALET PARKING INCLUDED | BLACK TIE OPTIONAL

CALL THE FOUR SEASONS AT 314.881.5757, BEFORE MARCH 12TH TO BOOK ROOM AT ASA RATE OF \$215
FOUR SEASONS HOTEL | 999 NORTH SECOND ST. | ST. LOUIS, MO



CONGRATULATIONS TO OUR 2020 AWARDS GALA NOMINEES

ASA Midwest Council's

DISCO BALL

The 27th Annual Awards Gala

2020 NOMINEES



<p>General Contractor 2020</p> <p>CATEGORY A Alberici Constructors ARCO Construction BSI Constructors Contegra Construction Co. L. Keeley Construction McCarthy Building Co. Tarlton Corporation</p> <p>CATEGORY B Interface Construction Corp ISC Contracting Kadean Construction McGrath & Associates Musick Construction Rhodey Construction</p> <p>CATEGORY C BEX Construction Services G. S. & S. Construction J.E. Foster Building Company Spiegelglass Construction</p>			<p>MEP Subcontractor 2020</p> <p>CATEGORY A Aschinger Electric Guarantee Electrical Co. Jarrell Mechanical Contractors JF Electric, Inc. Kaemmerlen Electric Murphy Company PayneCrest Electric, Inc. Sachs Electric</p> <p>CATEGORY B Benson Electric Bi-State Fire Protection Boyer Fire Protection Kaiser Electric KayBee Electric O.J. Laughlin Plumbing Co. Parkway Construction Services Plumbing Planning Corporation RF Meeh Co.</p>	
<p>Specialty Subcontractor 2020</p> <p>CATEGORY A BAZAN Painting Co. Kirberg Company Niehaus Building Services T.J. Wies Contracting, Inc. Vee-Jay Cement Contracting Co., Inc.</p> <p>CATEGORY B AME Constructors American Steel Fabrication, Inc. George McDonnell & Sons Golterman & Sabo Grant Masonry Contracting Leach Painting Company Meyer Painting Company Swanson Masonry, Inc.</p>			<p>Service Provider/Supplier 2020</p> <p>Enterprise Bank & Trust Fabrick JD Kutter</p> <p>K & K Supply NuWay Seal The Deal Too</p>	

DATE:
MAY 13, 2020

TIME:
4:30 to 6:30 p.m.



**'SWING' ON BY FOR A JOINT
ASA/SITE NETWORKING EVENT**

\$60 per person

Includes open bar, appetizers and golf

BAR SPONSORSHIP \$300

Advance Registration Required

ASA Members register by visiting www.asamidwest.com by May 6th.

Limited Bar sponsorships available only \$300—includes signage & recognition at event!

Register by May 6th and pay by credit card or check. If you belong to both organizations, please only register with one group.

ASA Cancellation Policy: Cancellation by May 6th for full refund, no refund after that date, but you may always send someone in your place.



The threat of winter storms shortened the legislative session several days in February; however, despite those unplanned days off, the 2020 legislative session is in full swing and about to reach its halfway point. Later this month, the legislature will break for its annual spring break upon adjournment March 19 and will resume on Monday, March 30.

ASA's legislative priority has been filed by Senator Gina Walsh. SB991 allows for contractors, subcontractors and suppliers, upon seven days' notice, the right to suspend work on a project if agreed upon payment terms are not met. It also allows for work to be stopped without the danger of being held liable for breach of contract. Additionally, if work is stopped for non-payment, the bill provides for contracts affected by the stoppage to be extended equitably, and the contracted amount increased for the costs of demobilization, delay, and remobilization. Also, if payment is not received within 60 days of notice to suspend work on a project, a company shall have the right to terminate its contract after providing 3 business days' notice to the party failing to make payment. As of the newsletter deadline, Representative Aaron Griesheimer was drafting a companion bill in the House of Representatives. We expect that his bill should be filed by the time this newsletter reaches you. While getting any bill to the Governor's desk is challenging, we are hopeful to make good progress with our legislation this session and educate House and Senate members to the challenges our members face.

The Missouri Department of Natural Resources recently announced they intend to raise fees on hazardous waste generators by a significant amount. In their recommendation, the Hazardous Waste Management Commission signaled their intent to raise registration fees for large quantity generators to \$1,150.00. The current fee is \$500.00. Fees for small quantity generators will go from \$150.00 to \$360.00, and the fee for "conditionally exempt small quantity generators" will jump from \$150.00 to \$175.00. DNR says the increases are needed in years 2021 and 2022 in order to offset a shortfall that is anticipated because of a decrease in federal grant money. The increases will go into effect on January 1, 2021 unless the General Assembly takes action to block the proposal. That is what Senator Cindy O'Laughlin intends to do with Senate Concurrent Resolution 38. The resolution recently received a passing vote in the Senate Rules, Joint Rules, Resolutions and Ethics Committee. O'Laughlin's resolution calls the fee increase "beyond the level which the General Assembly considers to be fair and reasonable." The measure will likely see floor time before the full Senate in the coming weeks.

The Senate passed SJR38 last month after the first lengthy filibuster of the year. This resolution could change portions of the so-called "Clean Missouri" constitutional amendment passed by voters in November of 2018. The effect of the amendment was to limit lobbyist gifts to lawmakers, reduce campaign contributions, and create a new process when it comes to redistricting. The redistricting portion has been the subject of much discussion, as it requires a non-partisan state demographer. According to the original amendment passed in 2018, the demographer is selected by the State Auditor to redraw district lines, determining how the state is divided into legislative districts. Many have argued that although the demographer is supposed to be non-partisan, appointing them via nomination by the state auditor is not.

Hegeman's proposal makes several changes to Clean Missouri, including a complete ban on all lobbyist gifts (current law allows gifts no greater than \$5.00), reducing the amount House and Senate candidates may receive in campaign contributions, and eliminating the state demographer position in lieu of independent bipartisan citizens commissions. Opposition to Hegeman's proposal came from Senate democrats who argued the measure changes the will of the voters who overwhelmingly voted in favor of the Clean Missouri ballot initiative. Hegeman countered that even if the legislature passed his resolution, it still must be approved by the voters, therefore their will would be upheld. The bill passed the Senate along party lines, except for Republican Senator Lincoln Hough who voted no.

As the question of how the state is going to pay for its infrastructure needs continues to loom, the Senate brought up SB539 for debate last month. The bill, sponsored by Senator Doug Libla, would increase the tax on gasoline from 17 cents to 19 cents per gallon, and the tax on diesel from 17 cents to 23 cents per gallon. The measure also calls for the tax rate to be adjusted annually for inflation. It was clear that the bill does not have a path forward unless concessions are made to meet the demands of the conservative caucus. As in years past, we don't see this bill getting past the conservative caucus unless there is a tax offset included. We expect it will be brought up again for debate.

The Missouri House recently passed bills dealing with professional licensing reciprocity. House Bills 1511 and 1452 will allow for relocating military spouses to apply for an occupational license in Missouri, provided they hold a valid license in another state. The legislation is a priority for Governor Mike Parson who recently praised the action of the House. Recognizing the fact that military families face tremendous burdens, Parson said, "Military spouses face considerable challenges when they relocate with their active duty partner, and finding a job in their licensed profession should not be one of them." Professions affected in the bill include architects, landscape architects, land surveyors, professional engineers and numerous health related professions. The measures passed through the House on a vote of 151-2 will now head to the Senate for additional consideration.

As a member of ASA, you should be receiving weekly legislative updates that include updates on ASA's legislative agenda along with other legislative news from the week. If you are not receiving these important updates, please reach out to Susan Winkelmann to let her know. We will continue to keep you updated on issues and happenings in Jefferson City and around the state that impact ASA and the construction industry. We appreciate the opportunity to represent you. Nikki Strong, Strong Consulting Group.

ASA Midwest Council Members

24/7 OnSite Cameras
Acoustical Ceilings, Inc.
Acropolis Technology Group
Affton Fabricating & Welding
AME Constructors
American Burglary & Fire, Inc.
American Steel Fabrication, Inc.
Anders CPAs + Advisors
Aqueduct Plumbing LLC
Archview Metal Systems Co.
Aschinger Electric
Aspen Waste Systems
Autco Appliances
Auto Trim Restyling
Bangert Computer Systems
Bazan Painting Company
Bell Electrical Contractors
Benson Electric Company
Bick Group
Big Boy's Steel Erection
Bi-State Fire Protection Corp.
Bi-State Utilities Company
BluSky Restoration
Boyer Fire Protection
Brown Smith Wallace LLP
Budrovich
Building Point Mid-America
C.E. Bollmeier Company, Inc.
C. E. Jarrell Contracting
CK Power
CMIT Solutions
CNA Surety
CSA Advisors LLC
Cardinal Environmental Operations
CarsonAllaria Wealth Management
Cee Kay Supply
Century Fire Sprinklers, Inc.
CliftonLarsonAllen, LLP
Collins & Hermann
Common Sense Solutions
Corrigan Company
Doll Services and Engineering
Drilling Service Company
Dynamic Controls, Inc.
ELCO Chevrolet Cadillac
Empire Fence & Custom Iron Works
Enterprise Bank & Trust
Event Productions, Inc.
Fabick CAT
Fenix Construction Co. of STL
Flooring Systems, Inc.
Focal Pointe Outdoor Solutions, Inc.

Foreman Fabricators
Foundation Supportworks by Woods
Frost Supply
Galloway, Johnson, Tompkins,
Burr & Smith
George McDonnell & Sons
Golterman & Sabo
Grant Contracting
Grasser Electric
Guarantee Electrical
H & G Sales, Inc.
HM Risk
Haberberger, Inc.
Hager Companies
Hanenkamp Electric
Hansen's Tree, Lawn & Landscaping
Hawkins Construction & Flatwork
Hayden Wrecking
Heitkamp Masonry
Hoette Concrete
Ideas4Promos
Imperial Metal Company
Integrated Facility Services
Irwin Products
JD Kutter
J.F. Electric
J.W. Terrill
John J. Smith Masonry
Johnson Controls
Jos. Ward Painting Co.
K & K Supply, Inc.
Kaemmerlen Electric
Kaiser Electric
KAM's Mechanical LLC
Kay Bee Electric
Kirberg Company
Kirby-Smith Machinery, Inc.
Knapheide Truck Equipment
Landesign LLC
Lawrence Fabric & Metal Structures
Leach Painting Company
Liberty Mutual Surety
Lindberg Waterproofing
Linek Plumbing Co.
Lizmark
Luby Equipment Services
Marketeer, Inc.
Meyer Painting Co.
Midwest Elevator
Mold Solutions
Montgomery Bank
Mueller Prost

Murphy Company
Negwer Door Systems
Niehaus Building Services
NuWay
O.J. Laughlin Plumbing Co.
On Site Companies, Inc.
P & A Drywall Supply
P.M. Leach Painting Co.
Pac-Van, Inc.
Parkway Construction Services
PayneCrest Electric
Pearl Street Electric, LLC
Pirtek Overland
Pipe and Duct Systems
Plumbing Planning Corporation
PPG Paints
Precision Analysis, Inc.
Professional Installers
Professional Metal Works, LLC
R.F. Meeh Co.
RJP Electric
Raineri Building Materials
Ravensberg, Inc.
Rental Supply, Inc.
Rock Hill Mechanical Corp.
RubinBrown LLP
Sachs Electric Company
Safety International, LLC
Sandberg Phoenix
Schaeffer Electric Co., Inc.
Schmersahl Treloar & Co.
Seal the Deal Too
Seiler Instruments
SFW Partners, LLC
The Sherwin-Williams Co.
Show Me Industrial Services, Inc.
Signature Craft
Sikich LLP
St. Louis-KC Carpenters Reg Council
Stylemaster Apparel, Inc.
Sunbelt Rentals
Swanson Masonry, Inc.
T.J. Wies Contracting
Taylor Excavating
TROCO Custom Fabrication
UHY LLP
USI Insurance Services
United Rentals
Vee-Jay Cement Contracting
Wies Drywall and Construction
Woodard Cleaning and Restoration
Worksafe Technologies
Zurich Surety

*Each month you will receive an update on the committees within ASA, to keep you informed. on current happenings at the committee level. Below are this month's committee reports. Interested in joining a committee? Contact Susan Winkelmann, ASA Executive Director-
susan@asamidwest.com or 314.845.0855*

SAFETY

Join us March 28th, at the Disco Ball Awards Gala to find out our 6 division Safety Award winners for 2019!

Lets be Always Safety Aware!

For additional information regarding the ASA Safety Committee, or to join the committee, contact our Safety Committee Co-Chairs:

Rose Kastrup with
CSA Advisors at
(417) 761-4194 or
Steve Williams with
Bell Electrical
at (314) 447-9071.



CONTRACT REVIEW

TIP: If you cannot obtain acceptable "pay when paid" language in your subcontract consider compromise language that says (1) If Owner fails to pay GC because of Sub's faulty work, then Sub does not get paid until the Owner pays, (2) If Owner fails to pay because of GC's fault or the fault of someone for whom the GC is responsible, the Sub is entitled to be paid by GC even if Owner does not pay, and (3) If the reason for nonpayment by the Owner cannot be determined, then the Sub and the GC agree to jointly prosecute a claim against the Owner.

If you have questions regarding the contract review service, contact committee chair, Dick Stockenberg, Sandberg Phoenix, von Gontard rstockenberg@sandbergphoenix.com.

MEMBERSHIP

The ASA Membership Committee is asking for your help. If you know a subcontractor who could benefit from the resources that ASA brings to its members, let us know. The benefits of ASA membership are many and our committee is very focused on adding quality new members. For Additional information contact on of our Membership Committee Co-Chairs Chris O'Hagan, JD Kutter, at (314) 444-4949 or chris@jdkutter.com. OR Matt Tucker, Affton Fabricating & Welding, at (618)391-0434 or mtucker@afwc.com

PROGRAMS

Our goal is to continue to provide relevant programming to all our members. If you have suggestions for future ASA program topics, please contact either of our Programs Committee Co-Chairs: Chris O'Hagan, chris@jdkutter.com or Steve Albart, salbart@enterprisebank.com





members of Congress and Congressional staff. We had a great group of committed members at our October 2019 fly in, which included a Capitol tour, legislative briefing, cocktail hour and dinner and over 50 Congressional meetings the next day.

On Tuesday, June 9th, we will have a group activity followed by a legislative, lobbying preparation session in the afternoon. Tuesday evening is our welcome reception and dinner at the Monocle Restaurant on Capitol grounds. On Wednesday, June 10th, we will walk the halls of Congress for a full day of meetings with your Representatives and Senators.

Registration Open for the ASA Legislative Fly In

We are pleased to invite you to ASA's Summer Legislative Fly In to Washington, D.C. on Tuesday-Wednesday, June 9-10, 2020. This will be a wonderful opportunity to advocate on behalf of ASA members and their legislative priorities with members of Congress and Congressional staff. We had a great group of committed members at our October 2019 fly in, which included a Capitol tour, legislative briefing, cocktail hour and dinner and over 50 Congressional meetings the next day.

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Are you an ASA member interested in walking the halls of Capitol Hill to advocate for public policy that strengthens the rights and interests of subcontractors in the construction industry?

The ASA is holding a Congressional Fly-In on Capitol Hill in Washington, DC to allow members to engage their lawmakers on key policy issues impacting the construction industry.

ASA members are encouraged to join the conversation on Capitol Hill by participating in a one day Fly-In to take our message directly to members of Congress and their staff.

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Fly-In program Includes:

Registration: \$199 per person

- * Meeting on The Hill with your Members of Congress or their staff
- * A briefing session on ASA's legislative priorities in Congress and training on lobbying and influencing your elected officials
- * Networking with your ASA peers from across the country

ASA has reserved a room block at the Capitol Hill Hotel for the week of the fly in. Nightly rates for this busy time of year are \$379. For your convenience, this block of rooms will be held until Friday, May 8, 2020, so make your reservations today! Capitol Hill Hotel at 202-543-6000.

VISIT ASA National Website at link below to register:

<https://americansubcontractorsassociationnationalasa.growthzoneapp.com/ap/Events/Register/7rXDo0lr>

OSHA Raises Its Civil Penalties for 2020 by Nearly 2%

On January 15, the Occupational Safety and Health Administration (OSHA) raised its civil penalties (85 Fed. Reg. 2,292) by approximately 1.8%. The final rule implements annual inflation adjustments of civil monetary penalties assessed or enforced by OSHA and other agencies within the Department of Labor (DOL) in 2020, as required by the Inflation Adjustment Act (Pub. L. 114-74).

OSHA's penalty increases for workplace safety and health violations include:

- For a willful violation, in which an employer knowingly failed to comply with an OSHA standard or demonstrated a plain indifference for employee safety, the minimum penalty increases from \$9,472 to \$9,639 and the maximum penalty increases from \$132,598 to \$134,937;
 - For each repeated violation for an identical or substantially similar violation previously cited by the agency, the penalty ceiling rises from \$132,598 to \$134,937;
 - For each serious violation for workplace hazards that could cause an accident or illness that would most likely result in death or serious physical harm, the maximum penalty increases from \$13,260 to \$13,494;
 - For each other-than-serious violation, the maximum penalty increases from \$13,260 to \$13,494;
 - For each failure to correct violation, the maximum penalty increases from \$13,260 to \$13,494; and
- For each posting requirement violation, the maximum penalty increases from \$13,260 to \$13,494.
- The new penalty amounts take effect immediately, applying to any penalties assessed after January 15.

On November 2, 2015, Congress enacted the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, the Inflation Adjustment Act, to improve the effectiveness of civil monetary penalties and maintain their deterrent effect.

On July 1, 2016, the DOL published an interim final rule establishing an initial "catch-up" adjustment for civil penalties the Department administers. The Labor Department has issued annual inflation adjustments of civil penalties in 2017, 2018, and 2019.

The department is required to calculate the annual adjustment based on the Consumer Price Index for all Urban Consumers (CPI-U). Annual inflation adjustments are based on the percent change between the October CPI-U preceding the date of the adjustment, and the prior year's October CPI-U.

The current adjustment is based on the percent change between the October 2019 CPI-U and the October 2018 CPI-U. The cost-of-living adjustment multiplier for 2020, based on the Consumer Price Index (CPI-U) for the month of October 2019, not seasonally adjusted, is 1.01764.

Existing penalty amounts are multiplied the multiplier, 1.01764, and then rounded to the nearest dollar.

If an OSHA Compliance Safety and Health Officer (CSHO) finds a hazard or standard violation during an onsite inspection, the inspector may issue citations and penalties. Inspections begin with a presentation of agency credentials and an opening conference and include a worksite walkaround and closing conference.

If the agency issues any citations or penalties, an employer may request an informal conference with the OSHA Area Director to discuss citations, penalties, abatement dates, or any other information pertinent to the inspection. The agency and the employer may work out a settlement agreement to address hazards found during an inspection.

OSHA has stated that its primary goal is correcting workplace safety and health hazards and ensuring compliance rather than imposing citations and collecting penalties.

OSHA Reminds Employers to Summarize 2019 Work-Related Injuries Between Feb. 1 and Apr. 30

Employers that are covered by OSHA's record-keeping rule must post a summary of 2019 work-related injury and illnesses in a noticeable place from Feb 1 to Apr. 30.

Most employers with more than 10 employees must keep a record of serious work-related injuries and illnesses each year (except for those in certain low-risk industries). Minor injuries that are treated only by first aid do not need to be recorded.

There are a few resources you can use to make sure you not only report these injuries and illnesses on time, but that you do so correctly.

Don't Forget to Post OSHA Injury and Illness Data at Your Worksite

This incident report (Form 301) serves to help employers, workers and OSHA evaluate each workplace's safety and understand industry hazards. According to one SHRM article, employers should also note that "they are required to keep a separate 300 log for each 'establishment'—which is defined as a 'single physical location where business is conducted or where services or industrial operations are performed.'"

It's also important to note that even if no injuries occurred at the relevant establishment, employers still need to complete and post the Form 300A. The employer must enter 'zero' on the total line.

Post your OSHA 300 Log February 1 to April 30, 2020

Recordkeeping is an important part of keeping a workplace safe through data and records.

OSHA recordkeeping includes work-related injuries and illnesses that involve:

- ✓ death
- ✓ days away from work
- ✓ restricted work or job transfer
- ✓ medical treatment beyond first aid
- ✓ loss of consciousness
- ✓ diagnosis by a healthcare professional as a significant injury or illness



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